

PROVIDING FOR THE CONSIDERATION OF H.R. 1127, THE
NATIONAL MONUMENT FAIRNESS ACT

SEPTEMBER 29, 1997.—Referred to the House Calendar and ordered to be printed

Mr. MCINNIS, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 256]

The Committee on Rules, having had under consideration House Resolution 256, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 1127, the “National Monument Fairness Act” under a modified closed rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Resources.

The rule makes in order the Committee on Resources amendment in the nature of a substitute as an original bill for purpose of amendment, which shall be considered as read.

The rule also provides for the consideration of the amendments printed in this report, which shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit, with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE FOR
H.R. 1127—THE NATIONAL MONUMENT FAIRNESS ACT OF 1997

Chenoweth—10 minutes: Requires the President to obtain the consent of the Governor of the affected state before any land monument designation would become effective.

Vento—10 minutes: Provides for a one year delay from the time the President announces a designation under the Antiquities Act to when that designation would actually take effect.

Miller (CA) #6—10 minutes: Provides that the President has to consult with the Governor of an affected State, and others, at least 60 days prior to issuing a proclamation, unless the President finds that a delay would jeopardize the values for which such monument is being established.

Miller (C) #3—10 minutes: Provides that the provisions of the Act apply to Federal lands in all 50 states and territories of the U.S.

Miller (CA) #5—10 minutes: Provides that if no comments are received from a Governor, the Presidential Proclamation can be submitted to Congress in 90 days, rather than the 180 days provided for in the bill.

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CHENOWETH OF WYOMING, OR A DESIGNEE DEBATABLE FOR 10
MINUTES

Page 3, line 20, strike “comments” and insert “comments and consent”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VENTO OF
MINNESOTA, OR A DESIGNEE DEBATABLE FOR 10 MINUTES

Page 3, line 14, strike “unless and until” and insert “until 1 year after”.

Page 3, beginning on line 16, insert a period after “Congress” and strike all that follows through the period on line 18 and insert in lieu thereof: “During the period of review, Federal lands within the proclamation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.”

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MILLER OF
CALIFORNIA, OR A DESIGNEE DEBATABLE FOR 10 MINUTES

Page 3, strike line 8 and all that follows through page 4, line 2, and insert the following:

Section 2 of the Act of June 8, 1906, commonly referred to as the Antiquities Act (34 Stat. 225; 16 U.S.C. 432), is amended by adding at the end the following: “At least 60 days before the issuance of a proclamation under this section, the President shall consult with the Governor of the State in which the proposed monument is to be located and any other individuals or organizations the President deems advisable, unless the President determines and publishes a

notice that a delay in issuing a proclamation will jeopardize the values for which such monument is to be established.”.

Amend the title to read “To amend the Antiquities Act to provide for consultation in the establishment by the President of national monument.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MILLER OF CALIFORNIA, OR A DESIGNEE DEBATABLE FOR 10 MINUTES

Page 4, line 2, after the first period insert the following new sentence: “Notwithstanding any other provision of law, the provisions of this Act shall apply to lands owned or controlled by the Government of the United States in all States and territories of the United States.”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MILLER OF CALIFORNIA, OR A DESIGNEE DEBATABLE FOR 10 MINUTES

Page 4, line 1, strike “180” and insert “90”.